

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

GEORGE SAIEG,

Plaintiff,

Civil Action No.
09-CV-12321

vs.

CITY OF DEARBORN and CHIEF OF
POLICE RONALD HADDAD,

PAUL D. BORMAN
UNITED STATES DISTRICT JUDGE

Defendants.

/

ORDER STAYING DEFENDANTS' MOTION TO REVIEW TAXATION OF COSTS

This is a civil rights case under 42 U.S.C. § 1983. On June 7, 2010, this Court entered an Opinion and Order granting summary judgment in favor of the City of Dearborn and Ronaldo Haddad ("Defendants") and denying summary judgment for George Saieg ("Plaintiff"). Plaintiff subsequently filed a timely appeal. On July 2, 2010, the Court Clerk taxed costs in favor of Defendants, pursuant to Fed. R. Civ. P. 54(d)(1) and E.D. Mich. LR 54.1. Now before the Court is Defendants' Motion to Review Taxation of Costs,¹ filed on July 7, 2010.

Because Plaintiff has filed a timely appeal, and in keeping with the discretion granted by Fed. R. Civ. P. 54(d), the Court will **STAY** its review of Defendants' Motion until a final judgment has been entered by the Court of Appeals. "This is because, should the costs be allowed to the defendant now, if the Court of Appeals reversed the judgment of this Court on appeal, it would appear the

¹Although costs have already been awarded, Defendants' current motion is necessary to recover costs for fees related to a sealed deposition transcript that could not be reviewed by the Court Clerk.

[Defendants] might be barred illogically and contrary to the statute, from taxing the costs against the [Plaintiff].” *Brown v. American Enka Corp.*, 452 F. Supp. 154, 160 (E.D. Tenn. 1976).

SO ORDERED.

S/Paul D. Borman
PAUL D. BORMAN
UNITED STATES DISTRICT JUDGE

Dated: September 20, 2010

CERTIFICATE OF SERVICE

Copies of this Order were served on the attorneys of record by electronic means or U.S. Mail on September 20, 2010.

S/Denise Goodine
Case Manager